

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
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Attorneys for Secured Creditor  
Specialized Loan Servicing LLC as servicing agent for  
The Bank of New York Mellon f/k/a The Bank of New  
York, as successor to JPMorgan Chase Bank, N.A. as  
Indenture Trustee, on behalf of the holders of the Terwin  
Mortgage Trust 2006-6, Asset-Backed Securities, Series  
2006-6

In Re:  
Kelly M. Poesl,  
  
Debtor



Order Filed on March 9, 2020  
by Clerk,  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 19-25759 SLM

Adv. No.:

Hearing Date: 2/26/2020 @ 8:30 a.m.

Judge: Stacey L. Meisel

**ORDER RESOLVING MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: March 9, 2020**

A handwritten signature in cursive script, reading "Stacey L. Meisel".  
\_\_\_\_\_  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

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Debtor: Kelly M. Poesl

Case No: 19-25759 SLM

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Specialized Loan Servicing LLC as servicing agent for The Bank of New York Mellon f/k/a The Bank of New York, as successor to JPMorgan Chase Bank, N.A. as Indenture Trustee, on behalf of the holders of the Terwin Mortgage Trust 2006-6, Asset-Backed Securities, Series 2006-6, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 157 West 4th Street, Bayonne, NJ 07002, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Jene K. Ciccarella, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** Secured Creditor's claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtor's Chapter 13 Plan; and

It is **ORDERED, ADJUDGED and DECREED** The avoidance of Secured Creditor's second lien is contingent upon the Debtor's completion of the Chapter 13 plan and the Debtor's receipt of a Chapter 13 discharge; and

It is **ORDERED, ADJUDGED and DECREED** Secured Creditor shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtor's Chapter 13 case or the conversion of the Debtor's Chapter 13 case to any other Chapter under the United States Bankruptcy Code; and

It is **ORDERED, ADJUDGED and DECREED** Each party shall bear their own attorney's fees and costs incurred in the present case number; and

It is **ORDERED, ADJUDGED and DECREED** In the event that the property is destroyed or damaged, pursuant to the mortgage, Secured Creditor is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage; and

It is **ORDERED, ADJUDGED and DECREED** In the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes Creditor's lien prior to the Debtor's completion of the Chapter 13 plan, Secured Creditor's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale; and

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Debtor: Kelly M. Poesl

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It is **ORDERED, ADJUDGED and DECREED** Secured Creditor shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New Jersey

In re:  
Kelly M Poesl  
Debtor

Case No. 19-25759-SLM  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Mar 09, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 11, 2020.

db +Kelly M Poesl, 157 W. 4th Street, Bayonne, NJ 07002-1179

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 11, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 9, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor The Bank of New York Mellon f/k/a The Bank of New York,  
as successor to JPMorgan Chase Bank, N.A. Et Al... dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Douglas J. McDonough on behalf of Creditor Wilmington Trust, NA, successor trustee to  
Citibank, N.A., as Trustee f/b/o holders of Structured Asset Mortgage Investments II Inc., Bear  
Stearns ALT-A Trust, Mortgage Pass-Through Certificates, Seri DMcDonough@flwlaw.com  
Jenee K. Ciccarella on behalf of Debtor Kelly M Poesl info@jc-lawpc.com,  
nadiafinancial@gmail.com;k.jr76568@notify.bestcase.com  
Marie-Ann Greenberg magecf@magtrustee.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5